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**From:** Jones, Russell [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=4795FDC630C34BE4AED0C6416A20D606-RUSSELL JONES]  
**Sent:** 5/7/2019 5:15:29 PM  
**To:** McNally, Robert [McNally.Robert@epa.gov]  
**CC:** Ellis, Frank [Ellis.Frank@epa.gov]; Leahy, John [Leahy.John@epa.gov]; Wozniak, Chris [wozniak.chris@epa.gov]  
**Subject:** Observations from USDA Biostimulants meeting this AM

**Importance:** High

Bob:

The group has gone to lunch and will reconvene to focus on their work group subcommittees – I will steer clear of that and get back to my PRIA work. However I did glean the following highlights from the morning session:

There were general queries regarding whether the 30-day extension on the comment period had been granted. I said I didn't know.

And how long it would take to respond to the comments to the Guidance. I basically gave Rick K's answer at the May 7 meeting ("It depends on the comments")

**USDA (Steve Crook – APHIS)**

- Farm Bill mandated report due on 12 20/2019.
- USDA is taking lead on report and will consult with EPA and industry throughout the process.
- Final draft will need buy-in from all levels at USDA. Draft pathway will be Administrator (Kevin Shea?) to Undersecretary to Secretary (presumably after EPA consultation and agreement). Time to clearance at all USDA levels and delivery of report to Congress is uncertain.
- AMS bailed out of meeting (expressed reason was "other commitments") and is in holding pattern until they get specific marching orders or requests for exactly what is needed from them in the Report.
- No discussions regarding the PVP program, but that may occur this afternoon. We will need to see what Colin Stewart reports to us from the afternoon session.

**AAPFCO [Eddie Simmons (WSDA)]**

- AAPFCO has created a Plant Biostimulant Task Force (PBSTF), although there has been little activity yet
- AAPFCO-PBSTF will advance issues/concerns of States to USDA to include in the report to Congress
- State Issues/Concerns
  - State regulators and industry have different, sometimes incompatible goals
  - States don't believe that regulation (at State level) can be defined by specifically product composition, or MOA, or by claims because the products are too complex, have multiple MOAs, and multiple (overlapping and sometimes conflicting) claims.
  - Unsure about creating a new Federal regulatory structure; may be too difficult to build.

**AAPCO [Cary ()]**

- PBS Guidance doc is heavily plant regulator-oriented (Russ Note: It was supposed to be, but I guess they didn't read the fine print)
- AAPCO regulators always have a difficult time distinguishing between a pesticide and no-pesticide
- Acknowledge problem for Industry of 50 States and 50 State regulatory regimes, but offered no solution.
- In "wait and see" mode until USDA report to Congress draft appears.

**NASDA [Britt ()]**

- Recognition that PBS are important to US agriculture
- want to participate in helping USDA craft their report, and represent State interests
- also in a "wait and see" mode

**Industry/BPIA/USBC ([Terry Stone (Agrinos) did most of the talking but various speakers during slide presentation)**

- Discussion revolved mostly around definitions (Farm Bill and EC definitions), what is a nutrient?
- due to a late start (40 min late) due to USDA phone connection issues, this was sort of a free-for-all for about an hour before the lunch break
- general discussion of the slides, which should be self-explanatory,
- nothing else of substance before the break

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